

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

_____ day _____, 20__

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION DENYING THE APPEAL OF E. MURRAY POWELL, AFFIRMING THE DECISION OF THE PLANNING COMMISSION, AND CONDITIONALLY APPROVING THE APPLICATION OF DR. HARVEY BILLIG FOR A CONDITIONAL USE PERMIT AND TENTATIVE PARCEL MAP SUB2013-00052/CO14-0020.

The following resolution is now offered and read:

WHEREAS, on December 10, 2015, and January 14, 2016, the Planning Commission of the County of San Luis Obispo (hereinafter referred to as the Planning Commission) duly considered the application of Dr. Harvey Billig for Conditional Use Permit and Tentative Parcel Map SUB2013-00052/CO14-0020 and conditionally approved the application on January 14, 2016; and

WHEREAS, E. Murray Powell has appealed the Planning Commission's decision to the Board of Supervisors of the County of San Luis Obispo (hereinafter referred to as the Board of Supervisors) pursuant to the applicable provisions of Titles 21 and 22 of the San Luis Obispo County Code; and

WHEREAS, a public hearing was duly noticed and conducted by the Board of Supervisors on March 15, 2016, and determination and decision was made on March 15, 2016; and

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WHEREAS, at said hearing, the Board of Supervisors heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to said appeal; and

WHEREAS, the Board of Supervisors has duly considered the appeal and finds that the appeal should be denied and the decision of the Planning Commission be affirmed and that the application should be approved subject to the modified findings and conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct and valid.
2. That the Mitigated Negative Declaration prepared for this project represents the independent judgment and analysis of the County as Lead Agency and that it is hereby approved as complete and adequate and as having been prepared in accordance with the provisions of the California Environmental Quality Act.
3. That the Board of Supervisors makes all of the findings of fact and determinations set forth in Exhibits A and C attached hereto and incorporated by reference herein as though set forth in full.
4. That the appeal filed by E. Murray Powell is hereby denied, that the decision of the Planning Commission is affirmed, and that the application of Dr. Harvey Billig for Conditional Use Permit and Tentative Parcel Map SUB2013-00052/CO14-0020 is hereby approved subject to the conditions of approval set forth in Exhibits B and D attached hereto and incorporated by reference herein as though set forth in full.

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Upon motion of Supervisor _____, seconded by Supervisor
_____, and on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted.

Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

[SEAL]

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL
County Counsel

By: 
Deputy County Counsel

Dated: March 1, 2016

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STATE OF CALIFORNIA,)
) ss.
County of San Luis Obispo,)

I, _____, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this day of _____, 20__.

County Clerk and Ex-Officio Clerk of the Board
of Supervisors

(SEAL)

By _____

Deputy Clerk.

**EXHIBIT - A / FINDINGS
CONDITIONAL USE PERMIT**

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, found that there was no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report was not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) was issued on October 29, 2015. Mitigation measures are proposed to address aesthetics, air quality, biological resources, cultural resources, geology and soils, noise, public services, transportation/circulation, water/hydrology, and land use and are included as conditions of approval.

No substantial revisions to the Mitigated Negative Declaration are required since public notice of its availability was given so as to require recirculation. Additional information has been provided regarding the types of greenhouse gas emission offset measures available to the application, but no new potentially significant impacts were identified.

Conditional Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the Behavioral Health Hospital and assisted living facility do not generate activity that present a potential threat to the surrounding property and buildings. As explained by the County Sheriff's Office, the City of Santa Barbara Police Chief, and operators of other similar facilities, the proposed hospital will not pose a security threat to the community. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the Behavioral Health Hospital and assisted living facility are consistent with the surrounding land uses in the project's vicinity. Then proposed project is consistent with the provisions of the Templeton Community Design Plan including building guidelines addressing height, bulk, setbacks, architectural style and site design. With the project conditions in place this project will not conflict with the surrounding lands and uses.

- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Las Tablas Road a collector road constructed to handle any additional traffic associated with this project. Traffic studies were prepared (Associated Transportation Engineers, 2013, 2015, 2016) and reviewed by Public Works. No significant concerns were identified by Public Works. The County has established the acceptable Level of Service (LOS) on roads in urban area as “D” or better. The existing LOS is considered “C” or better. The traffic generated by the proposed project (both the Hospital and the Assisted Living Facility) will not result in a significant impact. The LOS East of Bennet Way (shown in above Table 6) will drop to a LOS “D” which is considered acceptable and not a significant impact.

Adjustments

- G. The proposed Behavioral Health Hospital has a maximum height of 44 feet above average natural grade. The height requirement in the Office and Professional land use category is 35 feet. In this instance, a height modification pursuant to the Land Use Ordinance section 22.10.090.C.2.a is being granted. The Behavioral Health Hospital is 44 feet above average natural grade (ANG) measured to the top of the parapet wall. Other key height measurements include:
- 41 feet (ANG) to the top of the roof
 - 36 feet (ANG) to the top of the highest habitable space
 - 31 feet 4 inches from Las Tablas Rd elevation to the top of the parapet wall.

The height modification to allow a 44 foot structure is justified because 44 feet will not exceed the lifesaving equipment capabilities of the Templeton Fire Department and the height will not result in substantial detrimental effects on the enjoyment and use of adjoining properties. There are four buildings in the project immediate surroundings (within 500 feet) that have had height modifications of 44 feet, 39 feet, 43 feet and 70 feet. The proposed hospital’s 44 foot height is consistent with these other building heights in the neighborhood.

**EXHIBIT - B / CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT**

Approved Development

1. This approval authorizes the:
 - a. Construction of a 36,503 square feet (sf) assisted living facility (60 beds) on the 1.46 acres parcel, and a 70,419 sf hospital (behavioral health – 91 beds) on the 3.44 acre parcel including site improvements for grading, parking, and landscaping and includes a common driveway and shared parking between the proposed buildings. The proposed project will result in the disturbance of approximately 3.5 acres and 22,230 cubic yards of cut and 17,260 cubic yards fill on a 4.9 acre parcel.
 - b. The maximum height is 44 feet from average natural grade, for the Behavioral Health Hospital structure as measured from average natural grade. The maximum height is 31 feet from average natural grade for the Assisted Living Facility.

Conditions required to be completed at the time of application for construction permits

Site Development

2. **At the time of application for construction permits** plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and landscape plans.

Access and Improvements

3. Road and/or streets to be constructed to the following standards, unless design exceptions are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:
 - a. Las Tablas Road shall be widened to complete the project frontage of an A-2 Urban street section fronting the property within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism.
 - b. The existing private access road along the westerly property boundary serving Parcel 2 shall be:
 1. Widened to Templeton Fire Department Standards within an adequate private access and utility easement with additional easement width as necessary to contain all elements of the roadway prism. At a minimum it shall be 24 feet wide with a 4-foot landscaped parkway and a 4-foot pedestrian path on one side. At its connection to Las Tablas Road, the travel lanes shall be widened to provide dedicated left and right turn lanes onto Las Tablas Road.
 2. A street light shall be installed at its intersection with Las Tablas Road in accordance with County Public Improvement Standards. The applicant shall establish a financing mechanism, satisfactory to the Department of Public Works, to pay the light's ongoing operation and maintenance costs.
 - c. Only one new site access driveway connection will be allowed on Las Tablas Road and it must be located most easterly possible from the existing access road. The driveway shall be constructed to a county B-3 & A-5 urban commercial driveway and sight distance standards.

Offers, Easements and Restrictions

4. The applicant shall offer for dedication to the public the following easements by certificate on the map or by separate document:
 - a. For road widening purposes a 60-foot wide road right-of-way along Las Tablas to be described as 30-feet from the recorded centerline, with additional width as necessary to contain all elements of the roadway prism.
 - b. A public utility easement along Las Tablas to be described as 10-feet beyond the right-of-way, plus those additional easements as required by the utility company, shall be shown on the final map.
 - c. Drainage easement(s) as necessary to contain both existing and proposed drainage improvements where those improvements accept storm water from a public road.
5. The applicant shall show the following restrictions by certificate on the map or by separate document:
 - a. If drainage basins are required then the basin areas shall be indicated as a building restriction on the map.
 - b. If a drainage basin is required, the drainage basin along with rights of ingress and egress shall be reserved as a drainage easement in favor of the owners and assigns

Storm Water

6. The applicant shall demonstrate whether the project (including both public and private improvements) is subject to the LUO Section for Storm Water Management by submitting a Storm Water Control Plan (SWCP) to show what is required to satisfy post construction requirements for storm water treatment. It shall be prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Storm Water Control Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation control plan. The applicant shall submit complete drainage calculations for review and approval.
 - a. If storm water treatment facilities are to be constructed with subsequent individual lot development, each lot will be required to perform its own storm water treatment on site but based on the performance requirements determined by the total new or replaced impervious square footage of the subdivision.
 - b. If storm water treatment facilities are to be constructed with subsequent individual lot development, each lot will be required to perform its own storm water treatment on site (and as if it were not a detached single family residence) regardless of its own impervious footprint. It will be required to treat its storm water per the performance requirements determined by the total assumed impervious square footage of the tract.
 - c. Storm Water treatment facilities for public or common area improvements (including those for fronting and interior roadways) shall be constructed with those improvements
 - d. An impervious area ceiling must be determined for each lot and noting that as a building restriction on an Additional Map sheet is required.
 - e. Retention of all site and improvement storm water run-off may exempt this project from storm water control requirements.

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7. **At the time of submittal of the improvement plans or construction permits**, if necessary, the applicant shall submit a draft "Private Storm Water Conveyance Management and Maintenance System" exhibit for any proposed post construction structural treatment device for review and approval by the County.
8. **Prior to approval of the improvement plans or construction permits** if necessary, the applicant shall record with the County Clerk the "Private Storm Water Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

Improvement Maintenance

9. Roads and/or streets shall be maintained as follows:
 - a. The shared access road on the westerly side, and all internal roads and parking lots, will not be accepted for County maintenance following completion and certification of the improvements. Together with the other private drive users, the developer shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure adequate private maintenance, acceptable to the Department of Planning & Building.

Improvement Plans

10. Improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include, as applicable:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Street improvements must be considered as a part of the Storm Water Control Plan. The Storm Water Control Plan will be implemented through the Grading Permit processed through the Building Department. Joint compliance will be monitored through the Public Works Department.
 - d. Water plan to be approved jointly with Templeton CSD and the County Environmental Health Dept.
 - e. Sewer plan to be approved jointly with Templeton CSD and the County Environmental Health Dept.
 - f. Sedimentation and erosion control plan for subdivision related improvement locations.
 - g. Public utility plan, showing all existing utilities and installation of all new utilities to serve each lot.
11. The applicant shall enter into an agreement and post a deposit with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
12. The Registered Civil Engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved

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improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Drainage

13. Submit complete drainage calculations and drainage system design to the Department of Public Works for review and approval. Drainage must be detained on the property because Toad Creek and its tributaries are not capable of carrying additional runoff. All project related drainage shall be designed and constructed in accordance with the recommendations of the Templeton Drainage and Flood Control Study and county Public Improvement Standards.
14. If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
 - a. Submit a copy of all such permits to the Department of Public Works OR
 - b. Document that the regulatory agencies have determined that said permit is not required.
15. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

Water

16. (W-1) At the time of application for construction permits, the applicant shall show on the construction permits, project designs that will promote groundwater recharge (22.52.140) by application of Low Impact Development (LID) design techniques. For example roof runoff should be directed to drainage swales and not to impervious surfaces, rain barrels, stormwater ponds, bio-retention systems, or other methods as approved by Public Works. At least two designer selected LID measures shall be applied to the project.

Exterior Lighting

17. (AE-1) **At the time of application for construction permits**, the applicant shall submit a color board to the Planning Department for review and approval. The use of building materials including roofing material shall be non-reflective to reduce glare. The use of mirrored or reflective glass shall be prohibited. Any roof mounted equipment shall be screened from the view of neighboring residences located south and uphill of the site.
18. (AE-2) **At the time of application for construction permits**, the applicant shall submit a lighting plan which includes exterior lighting, parking lot lighting and interior lighting. The plan shall incorporate ways to minimize the amount of light and glare migrating off site.
19. (AE-3) **At the time of application for construction permits**, the applicant shall submit an Exterior Lighting Plan for both permanent and temporary facilities, for County review and approval. The Plan shall define the height, location, and intensity of all exterior lighting. All lighting fixtures shall be positioned "down and into" the development, and shielded so that neither the lamp nor the related reflector interior surface is visible from surrounding properties. All lighting poles, fixtures, and hoods shall be dark colored. When nighttime lighting is required for construction, temporary lighting shall be hooded to the extent consistent with safety. Lighting fixtures shall be directed away from roadways and residential

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areas to avoid glare and, when near a residence, shall be pointed away from the residence. The Lighting Plan shall focus on keeping the lumen/light intensity level to the lowest possible while still meeting minimum safety and security requirements. Unless determined necessary by the County for safety or security reasons, the entry sign shall not be back lit (reflective coating is acceptable). These measures shall be shown on applicable construction drawings prior to issuance of construction permits and permanent lighting shall be installed prior to final inspection. The County Environmental Monitor shall verify compliance with this measure.

Noise

20. (N-1) All buildings located in the eastern portion of the project and within the 60 dB Ldn noise contour for Highway 101 shall be constructed with air conditioning or a mechanical ventilation system, windows and sliding glass doors mounted in low air infiltration rate frames, and solid core exterior doors with perimeter weather stripping and threshold seals.
21. (N-2) At the time of application for construction permits, the applicant shall show a concrete block wall located at the northeastern corner of the property surrounding the northern and eastern sides of the outdoor use area. The wall shall be at least 6 feet high as measured from the outdoor use area finished floor elevation.

Air Quality

22. (AQ-3) Commuting. The applicant shall work with SLO Regional Rideshare to implement an Employee Trip Reduction Plan. Please contact Rideshare's Employer Commute Coordinator, Peter Williamson at 805-597-8022.
23. (AQ-4) Area Sources. Hearth – no hearth; consumer products – use low VOC cleaning supplies; architectural coatings – use only 100 g/l paints; landscape equipment – use 100% electric leaf blowers.
24. (AQ-5) At the time of application for construction permits, the project will need to demonstrate to the County that it meets the 2013 Title 24 Part 6 (Building Energy) and Part 11 (Green Building) code requirements except for those institutional occupancies specifically exempted by Title 24.
25. (AQ-6) Water Use. Indoor water use – low-flow bathroom faucets; low-flow kitchen faucets; low-flow toilets; low-flow showers. Outdoor water use – efficient irrigation systems.
26. (AQ-7) APCD Operational Phase Permit- Facilities need to apply for an APCD Permit to Operate for stationary diesel engines greater than 50 hp. This equipment may need to be screened for facility wide health risk impacts. To minimize potential delays, prior to the start of the project, please contact the APCD Engineering Division at (805) 781 -591 2 for specific information regarding permitting requirements.

Condition Compliance/Environmental Monitoring

27. (EM-1) **At the time of application for construction permit**, the applicant shall submit an environmental compliance package to the Planning Department that details each /mitigation measure/condition of approval. This package shall verify how each condition of approval has been met or will be met, with supporting documentation.

Fire Safety

28. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Templeton Fire Department letter and dated October 17, 2014.

Services

29. **At the time of application for grading permits**, the applicant shall provide a letter from Templeton Community Services District stating they are willing and able to service the property.

Biological

Oak trees

30. (BR-1) Trees to be preserved and trees that will be impacted but not removed shall be protected to the maximum extent possible via installation of a temporary tree fence placed outside the root zone (1.5 times distance from trunk to drip line). Where utilities or other activities cannot avoid this zone, activities shall be conducted by hand with a monitor present.

31. (BR-2) At the time of application for grading permits, the applicant shall clearly show on the project plans the type, size, and location of all oak trees to be removed as part of the project and all remaining trees within 50 feet of construction activities. The project plans shall also show the type and location of tree protection measures to be employed. All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced **prior to any grading**. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.

32. (BR-3) Within one week of ground disturbance activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. **Prior to issuance of grading and/or construction permit**, a pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements. A map of the project site and nest locations shall be included with the report. The County approved biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.

33. (BR-4) At the time of application for grading permits, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been

reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Conditions to be completed prior to issuance of a construction permit

Fees

34. Prior to issuance of a construction permit, **the applicant shall pay all applicable school and public facilities fees.**

35. **Prior to issuance of a construction permit**, the applicant shall pay all applicable Templeton road fees.

Water

36. (W-2) Prior to issuance of construction permits, the applicant shall submit landscape plans for the proposed parcels that includes the following outdoor conservation measures: limited irrigated landscape, low water-use plant materials, no turf and drip irrigation systems.

Air Quality

37. (AQ-1) Prior to issuance of grading/construction permit and during ground disturbance activities, that applicant shall implement standard mitigation measures for reducing NO_x, ROG, and DPM emissions from construction equipment are listed below (SLOAPCD 2012b):

- a. Maintain all construction equipment in proper tune according to manufacturer's specifications;
- b. Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
- c. Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation;
- d. Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
- e. Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NO_x exempt area fleets) may be eligible by proving alternative compliance;
- f. All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit;
- g. Diesel idling within 1,000 feet of sensitive receptors is not permitted;
- h. Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
- i. Electrify equipment when feasible;
- j. Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
- k. Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.

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38. (AQ-9) Prior to issuance of construction permits, the applicant shall ensure that a geologic investigation is conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that would be disturbed. If NOA is not present, an exemption request shall be filed with the Air Pollution Control District (APCD) and submitted to the Planning and Building Department. If NOA is present, the applicant shall work with, and receive approval from the APCD to comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan (which must be approved by the APCD before construction begins) and 2) an Asbestos Health and Safety Program.

Demolition of Underground Asbestos Containing Materials on Vacant Land. The project referral and satellite imagery indicates that the proposed site is a vacant parcel. Asbestos can be found in underground utility pipes/pipelines (i.e. transite pipes or insulation on pipes). Demolition of this kind of underground equipment can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered when utility pipelines are scheduled for disturbance, removal or relocation. As such, this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP). These requirements include, but are not limited to: 1) written notification, within at least 10 business days of activities commencing, to the APCD, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact the APCD Enforcement Division at (805) 781-5912 for further information.

39. (AQ-10) Prior to issuance of construction permits, the applicant shall submit the proposed truck route to APCD for review and approval. The proposed truck routes should be evaluated and selected to ensure routing patterns have the least impact to residential dwellings and other sensitive receptors, such as schools, parks, day care centers, nursing homes, and hospitals. If the project has significant truck trips where hauling/truck trips are routine activity and operate in close proximity to sensitive receptors, toxic risk needs to be evaluated.
40. (AQ13) Prior to issuance of grading or construction permits, the construction company awarded the contract shall contact Andy Mutziger from the APCD Planning Division (805-781-5912) at least 3 months prior to the start of construction to coordinate the implementation of all APCD mitigation measures. The applicant shall submit proof from APCD that all required mitigation measures have been satisfied. These measures shall be shown on all grading and construction plans prior to issuance of construction permits.

Biological

Biological Monitor

41. (BR-11) A biological monitor shall be present during earth- and vegetation-disturbing activities that occur within 30 feet of the drainage/riparian woodland, and spot-check the site daily or weekly during active construction, depending on the nature of the activities to ensure compliance with the conditions of approval. At the conclusion of construction activities, the biologist shall provide a report to the County that describes how and when all of the biological conditions have been met, if any problems occurred, and how they were resolved.

Legless lizards

42. (BR-7) To assure avoidance of potential impacts, a focused preconstruction survey for the legless lizards shall be conducted in proposed work areas immediately prior to ground-breaking activities that would affect potentially suitable habitat, as determined by the project biologist. The preconstruction survey shall be conducted by a qualified biologist familiar with legless lizard ecology and survey methods, and with approval from the California Department of Fish and Wildlife to relocate legless lizards out of harm's way. The scope of work survey shall be determined by qualified biologist and shall be sufficient to determine presence or absence in the project sites. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If legless lizards are found to be present in the proposed work areas the following steps shall be taken:
- Legless lizards shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project sites.
 - Construction monitoring shall be required for all new ground-breaking activities located within legless lizard habitat. Construction monitors shall capture and relocate legless lizards as specified above.
 - A letter report shall be submitted to the County and the California Department of Fish and Wildlife (CDFW) within 30 days of legless lizard relocation, or as directed by CDFW.

Western spadefoot toad and California Red-Legged Frog

43. (BR-10) Prior to issuance of construction and/or grading permits avoidance measures shall be implemented. A preconstruction survey for western spadefoot toad and California Red-legged frog shall be conducted in proposed work areas. The survey shall be conducted on foot by a County approved qualified biologist with approval from California Department of Fish and Wildlife and/or the U.S. Fish and Wildlife Service to relocate these species out of harm's way. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If these species are found to be present in the work areas, the following steps shall be taken:
- Western spadefoot toad and California red-legged frog shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project sites.
 - Construction monitoring shall be required for all new ground-breaking activities located within the mapped potential habitat. Construction monitors shall capture and relocate said species as specified above.
 - A letter report shall be submitted to the County and CDFW and/or USFWS within 30 days of Western spadefoot toad relocation, or as directed by CDFW and USFWS.
 - Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program regarding protected and special status species.

California red-legged frog

44. (BR-8) Soil disturbance for the Project exceeds 1 acre. Prior to the onset of construction, a Storm Water Pollution Prevention Plan (SWPPP) shall be prepared. The SWPPP shall contain Best Management Practices (BMPs) to prevent pollutants from leaving the site and entering the tributary to Toad Creek..

45. (BR-9) Biodegradable fiber rolls shall be installed pursuant to Caltrans Fiber Roll Detail SC-5, available at <http://www.dot.ca.gov/hq/construc/stormwater/SC-05.pdf>. To minimize the risk of ensnaring and strangling wildlife, coir rolls, erosion control mats or blankets, straw or fiber wattles, or similar erosion control products shall be comprised entirely of natural-fiber, biodegradable materials. No "photodegradable" or other plastic erosion control materials shall be used.

Cultural & Paleontological Resources

46. (CR-1) Prior to issuance of construction permit, the applicant shall submit a monitoring plan consistent with Archeological and Paleontological Evaluation Report and Mitigation Plan for the Templeton Medical Facility for Dr. Billig Project, Templeton, San Luis Obispo County, California (Cogstone; July 2006), prepared by a subsurface-qualified archaeologist and a qualified paleontologist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:
- a. List of personnel involved in the monitoring activities;
 - b. Description of how the monitoring shall occur;
 - c. Description of frequency of monitoring (e.g. full-time, part time, spot checking);
 - d. Description of what resources are expected to be encountered;
 - e. Description of circumstances that would result in the halting of work at the project site (e.g. What is considered "significant" archaeological resources?);
 - f. Description of procedures for halting work on the site and notification procedures;
 - g. Description of monitoring reporting procedures.

Conditions to be complied with during construction activities

Cultural & Paleontological Resources

47. (CR) During all ground disturbing construction activities, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as described in the monitoring plan and required by the Environmental Coordinator.
48. (CR-4) During all ground disturbing construction activities, the applicant shall retain a qualified paleontologist (approved by the Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant paleontological resources are found during monitoring, work shall stop within the immediate vicinity of the resource until such time as the resource can be evaluated by a qualified paleontologist. The applicant shall implement the mitigation as described in the monitoring plan and as required by the Environmental Coordinator.

Air Quality

49. (AQ-2) During construction and ground disturbance activities, the applicant shall implement the following mitigation measures to minimize nuisance impacts and to significantly reduce fugitive dust emissions (SLOAPCD 2012b), and to reduce VOC emissions:
- a. Reduce the amount of the disturbed area where possible;

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- b. Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
- c. All dirt stock pile areas should be sprayed daily as needed;
- d. Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities;
- e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
- f. All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
- g. All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
- h. Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
- i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;
- j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
- k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible;
- l. All of these fugitive dust mitigation measures shall be shown on grading and building plans. Since water use is a concern due to drought conditions, the contractor or builder should implement the use of an APCD-approved dust suppressant(s), where possible, to reduce the amount of water used for fugitive dust control. For a list of suppressants, see Section 4.3 of the CEQA Air quality Handbook that can be accessed at the following website: <http://slocleair.nair.org/business/landuseceqa.php> and;
- m. The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints and to reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.
- n. The architectural coating used for this project will have a volatile organic compound (VOC) limit of no more than 100 grams of volatile organic compounds per liter of paint (g/L). In addition, the architectural coating schedule for the project shall be completed over a period of 20 consecutive work days or longer.

Conditions to be completed prior to occupancy or final building inspection

Cultural & Paleontological Resources

50. (CR-3) Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first), the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.
51. (CR-5) Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first), the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all required mitigation measures have been met.

Biological

Oak Trees

52. (BR-5) Once trees have been planted and **prior to final inspection**, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to quantify the number of trees impacted and removed due to the project construction. The qualified individual shall prepare a letter stating how and when the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building.
53. (BR-6) To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

Air Quality

Construction Permit Requirements

54. (AQ-12) Prior to operation of the facility, if the following list of equipment (or similar equipment) and/or activities is proposed, the applicant shall contact the APCD to determine if an operating permit is necessary. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the APCD's 2012 CEQA Handbook.
- a. Power screens, conveyors, diesel engines, and/or crushers;
 - b. Portable generators and equipment with engines that are 50 hp or greater;
 - c. Electrical generation plants or the use of standby generator;
 - d. Internal combustion engines;
 - e. Rock and pavement crushing;
 - f. Unconfined abrasive blasting operations;
 - g. Tub grinders;

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- h. Trommel screens; and
- i. Portable plants (e.g. aggregate plant, asphalt batch plant, concrete batch plant, etc).

To minimize potential delays, prior to the start of the project, please contact the APCD Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

On-going conditions of approval (valid for the life of the project)

Time Limits

55. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
56. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

Air Quality

Developmental Burning

57. (AQ-11) For the life of the project, developmental burning of vegetative material is prohibited. If you have any questions regarding this requirement, contact the APCD Enforcement Division at 781-5912.
58. (AQ-8) Prior to final inspection or at least 6 months prior to occupancy, the applicant shall verify with the APCD that all applicable air quality mitigations (including site design, energy efficiency, and transportation measures) reduce operational GHG emissions to a level below the thresholds identified in the SLO APCD CEQA Guidelines. A combination of measures from the following list shall be incorporated into the project and shown on applicable plans:
- a) Land Use & Site Enhancement. Increase transit accessibility;
 - b) Commuting. Trip reduction through commute programs, employee vanpool/shuttle, provide ride sharing programs;
 - c) Area Sources.
 - i. assure use of low VOC cleaning supplies
 - ii. landscape equipment – use 100% electric leaf blowers,
 - iii. architectural coatings – use only 100 g/l paints;
 - d) Energy Use. Building Energy –
 - i. exceed Title 24 standards by 20%;
 - ii. install high efficiency lighting,
 - iii. install energy efficient appliances;

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- e) Water Use. Indoor water use – low flow bathroom faucets, low flow kitchen faucets, etc. Outdoor use – efficient irrigation systems.

Defense and Indemnity of the County

59. Within ten (10) days of final approval of this use permit, the applicant shall, as a condition of approval, enter into and record an agreement, in a form approved by County Counsel and executed by the Director of the Department of Planning and Building, providing for the defense and indemnity of the County of San Luis Obispo, its present or former officers, agents, or employees, at the applicant's sole expense, against any action brought by a third party challenging either the decision to approve this use permit or the manner in which the County is interpreting or enforcing the conditions of this use permit, or any other action by a third party relating to or arising out of the approval or implementation of this use permit. The agreement shall provide that the applicant shall indemnify the County and reimburse it for any costs and/or attorney's fees which the County incurs as a result of such action, and that the County's participation or non-participation in any such litigation shall not relieve the applicant of his or her obligations under this condition or the agreement. This requirement is an ongoing condition of this permit.

**EXHIBIT - C / FINDINGS
PARCEL MAP**

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, found that there was no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report was not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) was issued on October 29, 2015. Mitigation measures are proposed to address aesthetics, air quality, biological resources, cultural resources, geology and soils, noise, public services, transportation/circulation, water/hydrology, and land use and are included as conditions of approval.

No substantial revisions to the Mitigated Negative Declaration are required since public notice of its availability was given so as to require recirculation. Additional information has been provided regarding the types of greenhouse gas emission offset measures available to the application, but no new potentially significant impacts were identified.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Office and Professional land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of 106,922 square feet of office and professional buildings.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support 2 office and professional buildings.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because mitigation measures have been incorporated in order to mitigate the potential impacts resulting from this project to a level of insignificance.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

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- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.
- J. In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within the time frame approved in the Subdivision Agreement and prior to issuance of a permit or other grant of approval for development on a parcel.

**EXHIBIT - D / CONDITIONS OF APPROVAL
PARCEL MAP**

Approved Project

1. This approval authorizes:
 - c. Vesting Tentative Parcel Map and concurrent Conditional Use Permit to 1): subdivide an existing 4.9 acre parcel into two parcels of 1.46 acres and 3.44 acres.

Access and Improvements

2. Road and/or streets to be constructed to the following standards, unless design exceptions are approved by the Public Works Department in accordance with Section 1.2 of the Public Improvement Standards:
 - a. Las Tablas Road shall be widened to complete the project frontage of an A-2 Urban street section fronting the property within a dedicated right-of-way easement of sufficient width to contain all elements of the roadway prism.
 - b. The existing private access road along the westerly property boundary serving Parcel 2 shall be:
 1. Widened to Templeton Fire Department Standards within an adequate private access and utility easement with additional easement width as necessary to contain all elements of the roadway prism. At a minimum it shall be 24 feet wide with a 4-foot landscaped parkway and a 4-foot pedestrian path on one side. At its connection to Las Tablas Road, the travels lanes shall be widened to provide dedicated left and right turn lanes onto Las Tablas Road.
 2. A street light shall be installed at its intersection with Las Tablas Road in accordance with County Public Improvement Standards. The applicant shall establish a financing mechanism, satisfactory to the Department of Public Works, to pay the light's ongoing operation and maintenance costs.
 - c. Only one new site access driveway connection will be allowed on Las Tablas Road and it must be located most easterly possible from the existing access road. The driveway shall be constructed to a county B-3 & A-5 urban commercial driveway and sight distance standards.

Offers, Easements and Restrictions

3. The applicant shall offer for dedication to the public the following easements by certificate on the map or by separate document:
 - a. For road widening purposes a 60-foot wide road right-of-way along Las Tablas to be described as 30-feet from the recorded centerline, with additional width as necessary to contain all elements of the roadway prism.
 - b. A public utility easement along Las Tablas to be described as 10-feet beyond the right-of-way, plus those additional easements as required by the utility company, shall be shown on the final map.
 - c. Drainage easement(s) as necessary to contain both existing and proposed drainage improvements where those improvements accept storm water from a public road.

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4. The applicant shall reserve the following private easements by certificate on the map or by separate document:
 - a. A reciprocal access, parking, and utility easement in favor of both Parcels 1 and 2 with additional width as necessary to include all elements of the roadway prism and other Fire Agency approved road terminus.
5. The applicant shall show the following restrictions by certificate on the map or by separate document:
 - a. If drainage basins are required then the basin areas shall be indicated as a building restriction on the map.
 - b. If a drainage basin is required, the drainage basin along with rights of ingress and egress shall be reserved as a drainage easement in favor of the owners and assigns

Improvement Maintenance

6. Roads and/or streets shall be maintained as follows:
 - a. The shared access road on the westerly side, and all internal roads and parking lots, will not be accepted for County maintenance following completion and certification of the improvements. Together with the other private drive users, the developer shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure adequate private maintenance, acceptable to the Department of Planning & Building.

Improvement Plans

7. Improvement plans shall be prepared in accordance with County Public Improvement Standards by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include, as applicable:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Street improvements must be considered as a part of the Storm Water Control Plan. The Storm Water Control Plan will be implemented through the Grading Permit processed through the Building Department. Joint compliance will be monitored through the Public Works Department.
 - d. Water plan to be approved jointly with Templeton CSD and the County Environmental Health Dept.
 - e. Sewer plan to be approved jointly with Templeton CSD and the County Environmental Health Dept.
 - f. Sedimentation and erosion control plan for subdivision related improvement locations.
 - g. Public utility plan, showing all existing utilities and installation of all new utilities to serve each lot.

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8. All existing overhead electric power, telephone and cable television transmission and distribution lines fronting or contained within the project boundary shall be relocated underground [21.03.10(h)] and the poles removed.
9. All new electric power, telephone and cable television services shall be completed to each new parcel and ready for service. Applicant responsibilities for electric service and distribution line extensions (facilities and equipment) are detailed in PG&E Electric Rule No.15 and Rule No.16, respectively.
10. Prior to final map recordation, electric, telephone, and cable television services shall be completed, and shall meet the utilities' installation requirements, unless (in-lieu) financial arrangements with the utility for the installation of these systems have been made.
11. New gas distribution mains shall be installed along the entire project frontage(s) and gas service laterals shall be stubbed to each new parcel unless otherwise directed by the gas purveyor.
12. The applicant shall enter into an agreement and post a deposit with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
13. The Registered Civil Engineer, upon completion of the improvements, shall certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

Drainage

14. Submit complete drainage calculations and drainage system design to the Department of Public Works for review and approval. Drainage must be detained on the property because Toad Creek and its tributaries are not capable of carrying additional runoff. All project related drainage shall be designed and constructed in accordance with the recommendations of the Templeton Drainage and Flood Control Study and county Public Improvement Standards.
15. If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
 - a. Submit a copy of all such permits to the Department of Public Works OR
 - b. Document that the regulatory agencies have determined that said permit is not required.
16. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and / or Phase II storm water program and the County's Storm Water Pollution Control and Discharge Ordinance, Title 8, Section 8.68 et sec.

Storm Water

17. The applicant shall demonstrate whether the project (including both public and private improvements) is subject to the LUO Section for Storm Water Management by submitting a Storm Water Control Plan (SWCP) to show what is required to satisfy post construction requirements for storm water treatment. It shall be prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Storm Water Control Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation control plan. The applicant shall submit complete drainage calculations for review and approval.
- a. If storm water treatment facilities are to be constructed with subsequent individual lot development, each lot will be required to perform its own storm water treatment on site but based on the performance requirements determined by the total new or replaced impervious square footage of the subdivision.
 - b. If storm water treatment facilities are to be constructed with subsequent individual lot development, each lot will be required to perform its own storm water treatment on site (and as if it were not a detached single family residence) regardless of its own impervious footprint. It will be required to treat its storm water per the performance requirements determined by the total assumed impervious square footage of the tract.
 - c. Storm Water treatment facilities for public or common area improvements (including those for fronting and interior roadways) shall be constructed with those improvements
 - d. An impervious area ceiling must be determined for each lot and noting that as a building restriction on an Additional Map sheet is required.
 - e. Retention of all site and improvement storm water run-off may exempt this project from storm water control requirements.
18. **At the time of submittal of the improvement plans or construction permits**, if necessary, the applicant shall submit a draft "Private Storm Water Conveyance Management and Maintenance System" exhibit for any proposed post construction structural treatment device for review and approval by the County.
19. **Prior to approval of the improvement plans or construction permits** if necessary, the applicant shall record with the County Clerk the "Private Storm Water Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

Additional Map Sheet

20. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

- a. Development shall comply with all the conditions of approval of the Conditional Use Permit and applicable requirements of Title 22.

Templeton's Community Design Plan

- b. Construction plans for all future construction shall show compliance with Templeton's Community Design Plans standards for commercial buildings and applicable requirements of Title 22.
- c. Notification to prospective buyers that all shared access roads and parking lots are to be privately maintained, indicating the proposed maintenance mechanism.
- d. If a drainage basin is required, that the owner(s) are responsible for on-going maintenance of basin, fencing, landscaping and appurtenances in a viable condition on a continuing basis into perpetuity. The basin(s) area shall be indicated as a building restriction.
- e. In accordance with Title 13.01 of the County Code, the applicant shall be responsible for paying to the Department of Public Works the Templeton Road Improvement Fees (Area A) for each future building permit in the amount prevailing at the time of payment.
- f. The applicant shall demonstrate that the project construction plans are in conformance with the applicant's Stormwater Control Plan Application.
- g. The property owner shall be responsible for the operation and maintenance of public road frontage sidewalks, landscaping, street lighting, and pedestrian amenities in a viable condition and on a continuing basis into perpetuity, or until specifically accepted for maintenance by a public agency.
- h. The additional map sheet shall contain the final conditions of approval for the Subdivision and Development Plan as they are shown in the Notice of Final Action.

Aesthetics

- i. (AE-1) The use of building materials including roofing material shall be non-reflective to reduce glare. The use of mirrored or reflective glass shall be prohibited. Any roof mounted equipment shall be screened from the view of neighboring residences located south and uphill of the site.
- j. (AE-2) The applicant shall submit a lighting plan which includes exterior lighting, parking lot lighting and interior lighting. The plan shall incorporate ways to minimize the amount of light and glare migrating off site.

- k. (AE-3) At the time of application for construction permits, the Applicant shall submit an Exterior Lighting Plan for both permanent and temporary facilities, for County review and approval. The Plan shall define the height, location, and intensity of all exterior lighting. All lighting fixtures shall be positioned “down and into” the development, and shielded so that neither the lamp nor the related reflector interior surface is visible from surrounding properties. All lighting poles, fixtures, and hoods shall be dark colored. When nighttime lighting is required for construction, temporary lighting shall be hooded to the extent consistent with safety. Lighting fixtures shall be directed away from roadways and residential areas to avoid glare and, when near a residence, shall be pointed away from the residence. The Lighting Plan shall focus on keeping the lumen/light intensity level to the lowest possible while still meeting minimum safety and security requirements. Unless determined necessary by the County for safety or security reasons, the entry sign shall not be back lit (reflective coating is acceptable). These measures shall be shown on applicable construction drawings prior to issuance of construction permits and permanent lighting shall be installed prior to final inspection. [The County Environmental Monitor shall verify compliance with this measure.

Air Quality

- l. (AQ-1) Prior to issuance of grading/construction permit and during ground disturbance activities, that applicant shall implement standard mitigation measures for reducing NO_x, ROG, and DPM emissions from construction equipment are listed below (SLOAPCD 2012b):
 - a) Maintain all construction equipment in proper tune according to manufacturer's specifications;
 - b) Fuel all off-road and portable diesel powered equipment with ARB certified motor vehicle diesel fuel (non-taxed version suitable for use off-road);
 - c) Use diesel construction equipment meeting ARB's Tier 2 certified engines or cleaner off-road heavy-duty diesel engines, and comply with the State off-Road Regulation;
 - d) Use on-road heavy-duty trucks that meet the ARB's 2007 or cleaner certification standard for on-road heavy-duty diesel engines, and comply with the State On-Road Regulation;
 - e) Construction or trucking companies with fleets that do not have engines in their fleet that meet the engine standards identified in the above two measures (e.g. captive or NO_x exempt area fleets) may be eligible by proving alternative compliance;
 - f) All on and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and or job sites to remind drivers and operators of the 5 minute idling limit;
 - g) Diesel idling within 1,000 feet of sensitive receptors is not permitted;
 - h) Staging and queuing areas shall not be located within 1,000 feet of sensitive receptors;
 - i) Electrify equipment when feasible;

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- j) Substitute gasoline-powered in place of diesel-powered equipment, where feasible; and,
 - k) Use alternatively fueled construction equipment on-site where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane or biodiesel.
- m. (AQ-2) During construction and ground disturbance activities, the applicant shall implement the following mitigation measures to minimize nuisance impacts and to significantly reduce fugitive dust emissions (SLOAPCD 2012b), and to reduce VOC emissions:
- a) Reduce the amount of the disturbed area where possible;
 - b) Use of water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site and from exceeding the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Increased watering frequency would be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible;
 - c) All dirt stock pile areas should be sprayed daily as needed;
 - d) Permanent dust control measures identified in the approved project revegetation and landscape plans shall be implemented as soon as possible following completion of any soil disturbing activities;
 - e) Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading shall be sown with a fast germinating, non-invasive grass seed and watered until vegetation is established;
 - f) All disturbed soil areas not subject to revegetation shall be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD;
 - g) All roadways, driveways, sidewalks, etc. to be paved shall be completed as soon as possible. In addition, building pads shall be laid as soon as possible after grading unless seeding or soil binders are used;
 - h) Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site;
 - i) All trucks hauling dirt, sand, soil, or other loose materials are to be covered or shall maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with California Vehicle Code Section 23114;
 - j) Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site;
 - k) Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water shall be used where feasible;
 - l) All of these fugitive dust mitigation measures shall be shown on grading and building plans. Since water use is a concern due to drought conditions, the contractor or builder should implement the use of an APCD-approved dust suppressant(s), where possible, to reduce the

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amount of water used for fugitive dust control. For a list of suppressants, see Section 4.3 of the CEQA Air quality Handbook that can be accessed at the following website: <http://slocleanair.org/business/landuseceqa.php> and;

- m) The contractor or builder shall designate a person or persons to monitor the fugitive dust emissions and enhance the implementation of the measures as necessary to minimize dust complaints and to reduce visible emissions below the APCD's limit of 20% opacity for greater than 3 minutes in any 60 minute period. Their duties shall include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD Compliance Division prior to the start of any grading, earthwork or demolition.
- n) The architectural coating used for this project will have a volatile organic compound (VOC) limit of no more than 100 grams of volatile organic compounds per liter of paint (g/L). In addition, the architectural coating schedule for the project shall be completed over a period of 20 consecutive work days or longer.

All operational impacts would be less than significant (LTS) or less than significant with mitigation incorporated (LTSM). Mitigation Measures AQ-3 through AQ-7 are consistent with CalEEMod for a "Low Density Suburban" Project setting:

- n. (AQ-3) Commuting. The applicant shall work with SLO Regional Rideshare to implement an Employee Trip Reduction Plan. Please contact Rideshare's Employer Commute Coordinator, Peter Williamson at 805-597-8022.
- o. (AQ-4) Area Sources. Hearth – no hearth; consumer products – use low VOC cleaning supplies; architectural coatings – use only 100 g/l paints; landscape equipment – use 100% electric leaf blowers.
- p. (AQ-5) At the time of application for construction permits, the project will need to demonstrate to the County that it meets the 2013 Title 24 Part 6 (Building Energy) and Part 11 (Green Building) code requirements except for those institutional occupancies specifically exempted by Title 24.
- q. (AQ-6) Water Use. Indoor water use – low-flow bathroom faucets; low-flow kitchen faucets; low-flow toilets; low-flow showers. Outdoor water use – efficient irrigation systems.
- r. (AQ-7) APCD Operational Phase Permit- Facilities need to apply for an APCD Permit to Operate for stationary diesel engines greater than 50 hp. This equipment may need to be screened for facility wide health risk impacts. To minimize potential delays, prior to the start of the project, please contact the APCD Engineering Division at (805) 781 -591 2 for specific information regarding permitting requirements.
- s. (AQ-8) Prior to final inspection or at least 6 months prior to occupancy, the applicant shall verify with the APCD that all applicable air quality mitigations

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(including site design, energy efficiency, and transportation measures) reduce operational GHG emissions to a level below the thresholds identified in the SLO APCD CEQA Guidelines. A combination of measures from the following list shall be incorporated into the project and shown on applicable plans:

- a) Land Use & Site Enhancement. Increase transit accessibility;
 - b) Commuting. Trip reduction through commute programs, employee vanpool/shuttle, provide ride sharing programs;
 - c) Area Sources.
 - i. assure use of low VOC cleaning supplies
 - ii. landscape equipment – use 100% electric leaf blowers,
 - iii. architectural coatings – use only 100 g/l paints;
 - d) Energy Use. Building Energy –
 - i. exceed Title 24 standards by 20%;
 - ii. install high efficiency lighting,
 - iii. install energy efficient appliances;
 - e) Water Use.
 - i. Indoor water use – low flow bathroom faucets, low flow kitchen faucets, etc.
 - ii. Outdoor use – efficient irrigation systems.
- t. (AQ-9) Prior to issuance of construction permits, the applicant shall ensure that a geologic investigation is conducted to determine if Naturally Occurring Asbestos (NOA) is present within the area that would be disturbed. If NOA is not present, an exemption request shall be filed with the Air Pollution Control District (APCD) and submitted to the Planning and Building Department. If NOA is present, the applicant shall work with, and receive approval from the APCD to comply with all requirements outlined in the Asbestos ATCM for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to: 1) an Asbestos Dust Mitigation Plan (which must be approved by the APCD before construction begins) and 2) an Asbestos Health and Safety Program.

Demolition of Underground Asbestos Containing Materials on Vacant Land. The project referral and satellite imagery indicates that the proposed site is a vacant parcel. Asbestos can be found in underground utility pipes/pipelines (i.e. transite pipes or insulation on pipes). Demolition of this kind of underground equipment can have potential negative air quality impacts, including issues surrounding proper handling, demolition, and disposal of asbestos containing material (ACM). Asbestos containing materials could be encountered when utility pipelines are scheduled for disturbance, removal or relocation. As such, this project may be subject to various regulatory jurisdictions, including the requirements stipulated in the National Emission Standard for Hazardous Air Pollutants (40CFR61, Subpart M - asbestos NESHAP). These requirements include, but are not limited to: 1) written notification, within at least 10 business days of activities commencing, to the APCD, 2) asbestos survey conducted by a Certified Asbestos Inspector, and, 3) applicable removal and disposal requirements of identified ACM. Please contact the APCD Enforcement Division at (805) 781-5912 for further information.

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- u. (AQ-10) Prior to issuance of construction permits, the applicant shall submit the proposed truck route to APCD for review and approval. The proposed truck routes should be evaluated and selected to ensure routing patterns have the least impact to residential dwellings and other sensitive receptors, such as schools, parks, day care centers, nursing homes, and hospitals. If the project has significant truck trips where hauling/truck trips are routine activity and operate in close proximity to sensitive receptors, toxic risk needs to be evaluated.

Air Quality -Developmental Burning

- v. (AQ-11) For the life of the project, developmental burning of vegetative material is prohibited. If you have any questions regarding this requirement, contact the APCD Enforcement Division at 781-5912.

Air Quality - Construction Permit Requirements

- w. (AQ-12) Prior to operation of the facility, if the following list of equipment (or similar equipment) and/or activities is proposed, the applicant shall contact the APCD to determine if an operating permit is necessary. The following list is provided as a guide to equipment and operations that may have permitting requirements, but should not be viewed as exclusive. For a more detailed listing, refer to the Technical Appendices, page 4-4, in the APCD's 2012 CEQA Handbook.

- a) Power screens, conveyors, diesel engines, and/or crushers;
- b) Portable generators and equipment with engines that are 50 hp or greater;
- c) Electrical generation plants or the use of standby generator;
- d) Internal combustion engines;
- e) Rock and pavement crushing;
- f) Unconfined abrasive blasting operations;
- g) Tub grinders;
- h) Trommel screens; and
- i) Portable plants (e.g. aggregate plant, asphalt batch plant, concrete batch plant, etc).

To minimize potential delays, prior to the start of the project, please contact the APCD Engineering Division at (805) 781-5912 for specific information regarding permitting requirements.

- x. (AQ13) Prior to issuance of grading or construction permits, the construction company awarded the contract shall contact Andy Mutziger from the APCD Planning Division (805-781-5912) at least 3 months prior to the start of construction to coordinate the implementation of all APCD mitigation measures. The applicant shall submit proof from APCD that all required mitigation measures have been satisfied. These measures shall be shown on all grading and construction plans prior to issuance of construction permits.

Biological - Oak trees

- y. (BR-1) Trees to be preserved and trees that will be impacted but not removed shall be protected to the maximum extent possible via installation of a temporary tree fence placed outside the root zone (1.5 times distance from trunk to drip line). Where utilities or other activities cannot avoid this zone, activities shall be conducted by hand with a monitor present.
- z. (BR-2) At the time of application for grading permits, the applicant shall clearly show on the project plans the type, size, and location of all oak trees to be removed as part of the project and all remaining trees within 50 feet of construction activities. The project plans shall also show the type and location of tree protection measures to be employed. All trees to remain on-site that are within fifty feet of construction or grading activities shall be marked for protection (e.g., with flagging) and their root zone fenced **prior to any grading**. The outer edge of the tree root zone is 1-1/2 times the distance from the trunk to the drip line of the tree. Grading, utility trenching, compaction of soil, or placement of fill shall be avoided within these fenced areas. If grading in the root zone cannot be avoided, retaining walls shall be constructed to minimize cut and fill impacts. Care shall be taken to avoid surface roots within the top 18 inches of soil. If any roots must be removed or exposed, they shall be cleanly cut and not left exposed above the ground surface.
- aa. (BR-3) Within one week of ground disturbance activities, if work occurs between March 15 and August 15, nesting bird surveys shall be conducted. If surveys do not locate nesting birds, construction activities may be conducted. If nesting birds are located, no construction activities shall occur within 100 feet of nests until chicks are fledged. **Prior to issuance of grading and/or construction permit**, a pre-construction survey report shall be submitted to the lead agency immediately upon completion of the survey. The report shall detail appropriate fencing or flagging of the buffer zone and make recommendations on additional monitoring requirements. A map of the project site and nest locations shall be included with the report. The County approved biologist conducting the nesting survey shall have the authority to reduce or increase the recommended buffer depending upon site conditions.
- bb. (BR-4) At the time of application for grading permits, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for trees impacted but not removed. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).
- cc. (BR-5) Once trees have been planted and **prior to final inspection**, the applicant shall retain a qualified individual (e.g., landscape contractor, arborist, nurseryman, botanist) to quantify the number of trees impacted and removed due to the project construction. The qualified individual shall prepare a letter stating

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how and when the above planting and protection measures have been completed. This letter shall be submitted to the Department of Planning and Building.

- dd. (BR-6) To guarantee the success of the new trees, the applicant shall retain a qualified individual (e.g., arborist, landscape architect/ contractor, nurseryman) to monitor the new trees' survivability and vigor until the trees are successfully established, and prepare monitoring reports, on an annual basis, for no less than seven years. Based on the submittal of the initial planting letter, the first report shall be submitted to the County Environmental Coordinator one year after the initial planting and thereafter on an annual basis until the monitor, in consultation with the County, has determined that the initially-required vegetation is successfully established. Additional monitoring will be necessary if initially-required vegetation is not considered successfully established. The applicant, and successors-in-interest, agrees to complete any necessary remedial measures identified in the report(s) to maintain the population of initially planted vegetation and approved by the Environmental Coordinator.

Legless lizards

- ee. (BR-7) To assure avoidance of potential impacts, a focused preconstruction survey for the legless lizards shall be conducted in proposed work areas immediately prior to ground-breaking activities that would affect potentially suitable habitat, as determined by the project biologist. The preconstruction survey shall be conducted by a qualified biologist familiar with legless lizard ecology and survey methods, and with approval from the California Department of Fish and Wildlife to relocate legless lizards out of harm's way. The scope of work survey shall be determined by qualified biologist and shall be sufficient to determine presence or absence in the project sites. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If legless lizards are found to be present in the proposed work areas the following steps shall be taken:

- a) Legless lizards shall be captured by hand by the project biologist and relocated to an appropriate location will outside the project sites.
- b) Construction monitoring shall be required for all new ground-breaking activities located within legless lizard habitat. Construction monitors shall capture and relocate legless lizards as specified above.
- c) A letter report shall be submitted to the County and the California Department of Fish and Wildlife (CDFW) within 30 days of legless lizard relocation, or as directed by CDFW.

California red-legged frog

- ff. (BR-8) Soil disturbance for the Project exceeds 1 acre. Prior to the onset of construction, a Storm Water Pollution Prevention Plan (SWPPP) shall be prepared. The SWPPP shall contain Best Management Practices (BMPs) to prevent pollutants from leaving the site and entering the tributary to Toad Creek..
- gg. (BR-9) Biodegradable fiber rolls shall be installed pursuant to Caltrans Fiber Roll Detail SC- 5, available at <http://www.dot.ca.gov/hq/construc/stormwater/SC-05.pdf>. To minimize the risk of ensnaring and strangling wildlife, coir rolls, erosion control mats or blankets, straw or fiber wattles, or similar erosion control products

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shall be comprised entirely of natural-fiber, biodegradable materials. No "photodegradable" or other plastic erosion control materials shall be used.

Western spadefoot toad

hh. (BR-10) **Prior to issuance of construction and/or grading permits** avoidance measures shall be implemented. A preconstruction survey for western spadefoot toad shall be conducted in proposed work areas. The survey shall be conducted on foot by a County approved qualified biologist with approval from California Department of Fish and Wildlife to relocate these species out of harm's way. If the focused survey results are negative, a letter report shall be submitted to the County, and no further action shall be required. If these species are found to be present in the work areas, the following steps shall be taken:

- a) Western spadefoot toad shall be captured by hand by the project biologist and relocated to an appropriate location well outside the project sites.
- b) Construction monitoring shall be required for all new ground-breaking activities located within the mapped potential habitat. Construction monitors shall capture and relocate said species as specified above.
- c) A letter report shall be submitted to the County and CDFW within 30 days of Western spadefoot toad relocation, or as directed by CDFW.
- d) Prior to issuance of grading and/or construction permit and within 30 days prior to initiation of site disturbance and/or construction, all personnel associated with the project shall attend a worker education training program regarding protected and special status species.

Biological Monitor

ii. (BR-1) A biological monitor shall be present during earth- and vegetation-disturbing activities that occur within 30 feet of the drainage/riparian woodland, and spot-check the site daily or weekly during active construction, depending on the nature of the activities to ensure compliance with the conditions of approval. At the conclusion of construction activities, the biologist shall provide a report to the County that describes how and when all of the biological conditions have been met, if any problems occurred, and how they were resolved.

Cultural & Paleontological Resources

jj. (CR-1) Prior to issuance of construction permit, the applicant shall submit a monitoring plan consistent with Archeological and Paleontological Evaluation Report and Mitigation Plan for the Templeton Medical Facility for Dr. Billig Project, Templeton, San Luis Obispo County, California (Cogstone; July 2006), prepared by a subsurface-qualified archaeologist and a qualified paleontologist, for the review and approval by the Environmental Coordinator. The monitoring plan shall include at a minimum:

- a) List of personnel involved in the monitoring activities;
- b) Description of how the monitoring shall occur;
- c) Description of frequency of monitoring (e.g. full-time, part time, spot checking);
- d) Description of what resources are expected to be encountered;

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- e) Description of circumstances that would result in the halting of work at the project site (e.g. What is considered “significant” archaeological resources?);
 - f) Description of procedures for halting work on the site and notification procedures;
 - g) Description of monitoring reporting procedures.
- kk. (CR-2) During all ground disturbing construction activities, the applicant shall retain a qualified archaeologist (approved by the Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant archaeological resources or human remains are found during monitoring, work shall stop within the immediate vicinity (precise area to be determined by the archaeologist in the field) of the resource until such time as the resource can be evaluated by an archaeologist and any other appropriate individuals. The applicant shall implement the mitigation as described in the monitoring plan and required by the Environmental Coordinator.
- ll. (CR-3) Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first), the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all recommended mitigation measures have been met.
- mm. (CR-4) During all ground disturbing construction activities, the applicant shall retain a qualified paleontologist (approved by the Environmental Coordinator) to monitor all earth disturbing activities, per the approved monitoring plan. If any significant paleontological resources are found during monitoring, work shall stop within the immediate vicinity of the resource until such time as the resource can be evaluated by a qualified paleontologist. The applicant shall implement the mitigation as described in the monitoring plan and required by the Environmental Coordinator.
- nn. (CR-5) Upon completion of all monitoring/mitigation activities, and prior to occupancy or final inspection (whichever occurs first), the consulting archaeologist shall submit a report to the Environmental Coordinator summarizing all monitoring/mitigation activities and confirming that all required mitigation measures have been met.

Noise

- oo. (N-1) All buildings located in the eastern portion of the project and within the 60 dB Ldn noise contour for Highway 101 shall be constructed with air conditioning or a mechanical ventilation system, windows and sliding glass doors mounted in low air infiltration rate frames, and solid core exterior doors with perimeter weather stripping and threshold seals.
- pp. (N-2) At the time of application for construction permits, the applicant shall show a concrete block wall located at the northeastern corner of the property surrounding the northern and eastern sides of the outdoor use area. The wall shall be at least 6 feet high as measured from the outdoor use area finished floor elevation.

Water

- qq. (W-1) At the time of application for construction permits, the applicant shall show on the construction permits, project designs that will promote groundwater recharge (22.52.140) by application of Low Impact Development (LID) design techniques. For example roof runoff should be directed to drainage swales and not to impervious surfaces, rain barrels, stormwater ponds, bio-retention systems, or other methods as approved by Public Works. At least two designer selected LID measures shall be applied to the project.
- rr. (W-2) Prior to issuance of construction permits, the applicant shall submit landscape plans for the proposed parcels that includes the following outdoor conservation measures: limited irrigated landscape, low water-use plant materials, no turf and drip irrigation systems.

Condition Compliance/Environmental Monitoring

- ss. (EM-1) **At the time of application for construction permit**, the applicant shall submit an environmental compliance package to the Planning Department that details each /mitigation measure/condition of approval. This package shall verify how each condition of approval has been met or will be met, with supporting documentation.

Covenants, Conditions and Restrictions

21. The developer shall submit proposed Covenants, Conditions, and Restrictions (CC&R) for the subdivision to the county Department of Planning and Building for review and approval, and shall establish a Property Owners' Association or other organized and perpetual mechanism to ensure adequate private maintenance, acceptable to the Department of Planning & Building, and in conformance with the requirements of the State Department of Real Estate. The CC&R shall provide at a minimum the following provisions:
- a. Maintenance of all private access roads and parking lots in perpetuity.
 - b. If a drainage basin is required, on-going maintenance of the basin, fencing, landscaping and appurtenances in a viable condition on a continuing basis into perpetuity.
 - c. Maintenance of all common areas within the subdivision in perpetuity.
 - d. Operation and maintenance of public road frontage sidewalks and landscaping in a viable condition and on a continuing basis into perpetuity, or until specifically accepted for maintenance by a public agency.
 - e. Operation and maintenance of the westerly most shared driveway street light(s) in perpetuity, or until specifically accepted by a public agency.
 - f. Notification to prospective buyers that an additional map sheet was recorded with the final parcel or tract map. The restrictions, conditions and standards set forth in the additional map sheet apply to future development. It is the responsibility of the prospective buyers to read the information contained on the additional map sheet.

Miscellaneous

22. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

Defense and Indemnity of the County

23. The applicant shall, as a condition of approval of this tentative or final map application defend, indemnify, and hold harmless the County of San Luis Obispo or its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul any approval of the County concerning this subdivision, which action is brought within the time period provided for by law. This condition is subject to the provisions of Government Code section 66474.9, which are incorporated by reference herein as though set forth in full.

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STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS USING COMMUNITY WATER AND COMMUNITY SEWER

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved Public water source shall be assured prior to the filing of the final map. A “final will serve” letter shall be obtained and submitted to the Environmental Health Services for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Construction of required improvements (water main extensions, laterals to each parcel) may be delayed, through preparation of plans, posting of bonds, and subject to the approval of County Public Works, Environmental Health Services, and the public water utility. However, bonding may not occur for the water well(s) construction, quantity and quality.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by Environmental Health Services.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and Environmental Health Services destruction standards. The applicant is required to obtain a permit from Environmental Health Services.
5. When a potentially operational or existing auxiliary water supply (in the form of an existing well(s)) is located on the parcels created by this subdivision and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection **prior to occupancy.** (Chapter 8.30, San Luis Obispo County Code).
6. Sewer service shall be obtained from the community sewage disposal system.
7. **Prior to the filing of the map** a “final will serve” letter be obtained and submitted to Environmental Health Services for review and approval stating that community sewer system service is immediately available for connection to the parcels created. Sewer main extensions may be bonded for, subject to the approval of the County Public Works and sewer district.
8. No residential building permits shall be issued until community sewers are operational and available for connection.
9. An encroachment permit shall be obtained from County Public Works for any work to be done within the county right-of-way.
10. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.

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11. Any existing reservoir or drainage swale on the property shall be delineated on the map.
12. Prior to submission of the map "check prints" to County Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
13. Required public utility easements shall be shown on the map.
14. Approved street names shall be shown on the map.
15. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
16. The developer shall submit a preliminary subdivision guarantee to County Public Works for review prior to the filing of the map.
17. Any private easements on the property shall be shown on the map with recording data.
18. All conditions of approval herein specified, unless otherwise noted, shall be completed prior to recordation of the map.
19. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
20. A map shall be filed in accordance with the Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
21. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.